

## REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 10 December 2002  
Name of applicant/court: New Zealand Customs Service  
Applicant to the Labelling Body: Not Applicable  
Title of Publication: Expedient Homemade Firearms The 9mm  
Submachine Gun  
Other Known Title(s): Not Stated  
Director(s): Not Applicable  
Producer(s): Not Applicable  
Publisher: Paladin Press  
Author(s): P.A. Luty  
Format: Book  
Country of Origin: USA  
Language(s): English

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**Components of film originally examined:** Not Applicable.

Feature: Running time:  
Trailers: Running time:  
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons whose firearms license bears an endorsement under s30 and who have a permit to procure restricted firearms under s35 of the Arms Act 1983.

Display Conditions:

That the publication must not be publicly displayed in any place in which the publication is available for supply, and must be shown in that place only to a person who makes a direct request for the publication, and who has an appropriately endorsed firearms license, and a permit to procure, a restricted weapon.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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**SUMMARY OF THE REASONS FOR DECISION:**

The book entitled *Expedient Homemade Firearms The 9mm Submachine Gun* is classified as:

Objectionable except if the availability of the publication is restricted to persons whose firearms license bears an endorsement under s30 and who have a permit to procure restricted firearms under s35 of the Arms Act 1983.

The book promotes and encourages criminal activity. It does this by presenting a detailed set of instructions on how to build a submachine gun. A submachine gun is classed as a restricted firearm in the Arms (Restricted Weapons And Specially Dangerous Airguns) Order 1984. It is an offence to own a restricted firearm without a permit to procure, which is issued under s35 of the Arms Act 1983.

The Classification Office also notes that the potential for criminal activity due to the information contained within the publication is heightened by the manner in which it is presented. The pro-gun and anti-governmental tone of the writing and the presentation of the publication have the effect of normalising the act of constructing a restricted weapon.

Given the content of the book there is a likelihood of injury to the public good if it is made widely available. To reduce the likelihood of injury the Classification Office has decided to restrict the book to persons whose firearms license bears the appropriate endorsement and a permit to procure restricted firearms. This restriction recognises that persons with the appropriate license and permit are legally allowed to possess a restricted weapon. These persons are also likely to have the knowledge to maintain and store such a weapon in the safest possible way.

With regard to the New Zealand Bill of Rights Act 1990 this classification limits the rights of New Zealanders to access reading material of their own choice. However, in this instance, the restriction on the availability of the book to persons with the appropriate license, endorsement and permit represents the minimum interference with the freedom of expression consistent with preventing injury to the public good.

OFLC Ref: 201189